

AMENDED IN SENATE JUNE 2, 2008

AMENDED IN ASSEMBLY MAY 6, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2405

**Introduced by Assembly Member Arambula
(Coauthors: Assembly Members Berg and Parra)**

February 21, 2008

An act to add Section 1463.27 to the Penal Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

AB 2405, as amended, Arambula. Domestic violence: ~~county assessments~~. *additional fee*.

Existing law provides for the imposition of various fines, forfeitures, and penalties upon a criminal conviction.

This bill would permit a county to authorize an additional ~~assessment fee~~ of not more than \$250 to be imposed upon a conviction for specified crimes of domestic violence, to be *deposited into a fund in each county, to be used to fund* for domestic violence prevention programs that focus on assisting immigrants, refugees, or persons who live in rural communities.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1463.27 is added to the Penal Code, to
2 read:

1 1463.27. (a) Notwithstanding any other provision of law, in
2 addition to any other fine or penalty assessment, the board of
3 supervisors of a county may, by resolution, authorize ~~an assessment~~
4 *a fee* of not more than two hundred fifty dollars (\$250) upon every
5 fine, penalty, or forfeiture imposed and collected by the courts for
6 a crime of domestic violence specified in paragraph (1) of
7 subdivision (e) of Section 243 and in Section 273.5.
8 Notwithstanding Section 1463 or 1464, money collected pursuant
9 to this section shall be used to fund domestic violence prevention
10 programs that focus on assisting immigrants, refugees, or persons
11 who live in a rural community. Counties with existing domestic
12 violence prevention programs that assist those persons may direct
13 funds to those programs.

14 (b) The court shall determine if the defendant has the ability to
15 pay the ~~assessment~~ *fee* imposed under this section. In making that
16 determination, the court shall take into account the total amount
17 of fines and restitution that the defendant is subject to, and may
18 waive payment of this additional ~~assessment~~ *fee*.

19 (c) *The court shall deposit the moneys collected pursuant to*
20 *this section in a fund designated by the board of supervisors, to*
21 *be used as specified in subdivision (a).*